

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SEDRICK DEWAYNE ALTHEIMER,

Plaintiff,

vs.

PIERCE COUNTY, WASHINGTON, and  
PIERCE COUNTY SHERIFF EDWARD C.  
TROYER (a/k/a/ Ed Troyer), in his individual  
and official capacity,

Defendants.

NO. 2:21-cv-01437

DEFENDANTS' STATUS REPORT RE:  
CRIMINAL CASE

COME NOW Defendants Pierce County, Washington and Edward C. Troyer, by and through their respective counsel of record, and pursuant to the Court's Order Granting Defendant Troyer's Motion to Stay, hereby advise the Court of the status of Defendant Troyer's parallel criminal case pending in Pierce County District Court.<sup>1</sup> Defendants conferred with Plaintiff regarding an agreed Joint Status Report, but having not been able to reach agreement on language, hereby submit this update to the Court.

The Parallel Criminal Case. On or about October 19, 2021, the State of Washington charged Defendant Troyer with two gross misdemeanors – False Reporting and Making a False or

---

<sup>1</sup> Dkt. 18.

1 Misleading Statement to a Public Servant. The State filed the criminal action in Pierce County  
 2 District Court where it is assigned Cause No. 1AC002225.<sup>2</sup> Kitsap County District Court Judge  
 3 Jeffrey J. Jahns has been assigned to preside over the Parallel Criminal Case. On May 6, 2022,  
 4 Judge Jahns granted Defendant Troyer's motion to continue the trial date for the Criminal Case  
 5 from July 11, 2022 to October 31, 2022.

6 The Present Lawsuit. On September 27, 2021, Plaintiff filed the present lawsuit in King  
 7 County Superior Court.<sup>3</sup> Defendant Pierce County, Washington removed the matter to the United  
 8 States District Court for the Western District of Washington.<sup>4</sup>

9 Shortly thereafter, Defendant Troyer moved to stay all proceedings in this case, arguing  
 10 that both cases arise out of the same incident and alleged facts, the risk of depravation of Defendant  
 11 Troyer's Fifth Amendment due process rights is substantial, and that Plaintiff will not be unduly  
 12 prejudiced by a stay.<sup>5</sup> Defendant Pierce County, Washington joined Defendant Troyer's Motion  
 13 to Stay.<sup>6</sup> Plaintiff did not oppose a stay but asked the Court to set a trial date for April 3, 2023.<sup>7</sup>

14 This Court granted Defendant Troyer's Motion to Stay on January 11, 2022.<sup>8</sup> In its Order,  
 15 the Court directed the parties to advise the Court of the status of the criminal case at the earlier of  
 16 its full adjudication or August 1, 2022.

17 The Parallel Criminal Case remains open and pending. The bases for staying all  
 18 proceedings in this case remain unchanged, and therefore, the parties respectfully request that the  
 19 Court extend the stay until such time as the Parallel Criminal Case is fully adjudicated.

20 Defendants request that the Court exercise its discretion and direct the parties to file another  
 21 Joint Status Report by December 5, 2022.

---

22  
 23 <sup>2</sup> For purposes of this Joint Status Report, Pierce County District Court Cause No. 1AC002225, *State of Washington*  
*v. Edward C. Troyer, Jr.*, will be referred to as the "Criminal Case."

24 <sup>3</sup> Dkt. 1-1.

25 <sup>4</sup> Dkt. 1.

26 <sup>5</sup> Dkt. 12.

<sup>6</sup> Dkt. 15.

<sup>7</sup> Dkt. 16.

<sup>8</sup> Dkt. 18.

DATED this 1st day of August 2022.

By: s/ Gregory E. Jackson

Gregory E. Jackson, WSBA #17541  
Jackson & Nicholson, P.S.  
900 SW 16th Street, Suite 215  
Renton, WA 98057  
Telephone: (206) 582-6001  
Facsimile: (206) 466-6085  
Email: greg@jnseattle.com  
*Attorney for Defendant Pierce County, WA*

By: s/ L. Clay Selby

L. Clay Selby, WSBA #26049  
Eric F. Schacht, WSBA #56342  
Ledger Square Law, P.S.  
710 Market Street  
Tacoma, WA 98402  
Telephone: (253) 327-1900  
Facsimile: (253) 327-1700  
Email: clay@ledgersquarelaw.com  
eric@ledgersquarelaw.com  
*Attorney for Defendant Edward C. Troyer*

**CERTIFICATE OF SERVICE**

The undersigned certifies under the penalty of perjury under the laws of the State of Washington that I am now and at all times herein mentioned a resident of the State of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

On the date given below, I caused to be served the foregoing document on the following persons and in the manner listed below:

Susan B. Mindenbergs Law Office of Susan B. Mindenbergs 705 Second Ae., Suite 1050 Seattle, WA 98104-1759	<input checked="" type="checkbox"/> CM/ECF <input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Overnight Courier <input type="checkbox"/> Electronically via email <input type="checkbox"/> Facsimile
Vonda M. Sargent The Law Office of Vonda M. Sargent 119 First Ave. S, Suite 500 Seattle, WA 98104-3400	<input checked="" type="checkbox"/> CM/ECF <input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Overnight Courier <input type="checkbox"/> Electronically via email <input type="checkbox"/> Facsimile
Gregory E. Jackson Jackson & Nicholson, P.S. 900 SW 16 <sup>th</sup> St., Suite 215 Renton, WA 98057-2619	<input checked="" type="checkbox"/> CM/ECF <input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Overnight Courier <input type="checkbox"/> Electronically via email <input type="checkbox"/> Facsimile

DATED this 1st day of August 2022 at Tacoma, Washington.

s/ Amy Jean Shackelford

Amy Jean Shackelford, PP, PLS  
 Legal Assistant to L. Clay Selby and  
 Eric F. Schacht